police

P48

G. R. S. IX-5]

Previous references.

File No. 42-20

1920.

Serial Nos. 1—10

(police)

Later references.

pol C 87-20 (1-6)

" 168-24 (1-6)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Jeee

Part B for october 1920.

SUBJECT.

Consecration of Worship in the temple Pattadamma at Holalu Village, Tarikere Taluk.

Sl 10) To, Javaregowda & Chikegowda of Holalu Village, Tarikere Taluk.

No G 78998) 9-10-1920

Supreme Govt see no reason to interfere with the order of the district magistrate passed under Sec 41 of the police Regulation & that the appeal petition is rejected

WD 2253—GPB—20,000—14-6-20

Asst Secretary
2/11/20.

1919.0

GENERAL AND REVENUE SECRETARIAT

Police (Increase)

NOTES.

File No. 628 42-20 1917

FILE HEADING.

Conduct of worship in the temple of Patladamma at Holalu Village, Mandya Taluk.

From

Chikke Gowda and Jawara Gowda.

No. Petition Dated 3.4.20 Received 10.4.20

Diary No. 1976] Enclos. 2 Spare Copies. — [Serial No. /

BRIEF ABSTRACT OF LETTER.

Appeal against the Dist. Magistrate's order directing that as directed by one Mariah, Kuchi Kempe Gowda - opponent of the appts - should be

NOTES AND ORDERS.

allowed to peaceably perform worship in the temple, and pray for an order directing the stay of the execution of the order appealed against.

The petition is duly stamped. Rec'd

NOTES—First Sheet.

806

G. R. S. III-2]

General and Revenue Secretariat.

Police 42 of 20

File No. 628 of 1918

B

Serial No.

Order appealed against is dated 30-3-20 and the appeal petition is dated 3-4-20. It is in time and may be admitted.

2) The petitioners represent that there are two factions in the village, one of which being represented by the applts and the other by the respts Kurchi Kempe Gowda, and the dispute is which party has the right to conduct worship.

3) From the copy of the order appealed against, it is seen that the previous Dy. Commrs Messrs Mathan and T. Chokkanna have passed conflicting orders in the matter of the right of contending factions to conduct worship in the temple, and the present Dy. Commr concurring in the opinion of Mr Mathan, has passed the order directing that Kurchi Kempe Gowda has such a right and should be allowed to conduct worship, and apprehending breach of peace in carrying out his order, has taken precautions as the District Magistrate.

(B

G. R. S. III-2]

General and Revenue Secretariat.

Police 4-2-0-5-30

~~Army~~ File No. ~~628~~ of 191~~9~~

Serial No.

Against the foregoing order, Chikka Gowda and Javare Gowda have appealed to Govt, and pray for a stay order pending disposal of his appeal.

ii) The main question at issue is the right to conduct Puje, and the temple seems to be a non-mazra inasmuch as it is mentioned in the 1st para of the appeal petition that the temple has been in existence for over 35 years.

iii) Muz. Re nos. 387-08 and 378-no. 652-66 dt 1.12.1922 and a printed copy of G.O. No. 61 dt 25-1-1918 relative to the withdrawal by the local authorities in the matter of the appointment of Pujaris to non-mazrai institutions are put up. The Dy. Commr. orders in the matter of appointing Pujaris were set aside and status quo ante restored, the parties being left to themselves to settle their disputes or to have recourse to a court of competent jurisdiction.

iv) May a report with records be called for?

v) Submitted for orders.

M.H.W.

D.L.E.

C.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Police G.R. No. 1920 (4)

~~Fort~~ File No. ~~628~~ of ~~1919~~

Serial No.

8) The temple is a non mussai institution and the appeal is against the orders of the 1st magistrate. The Govt cannot interfere in the matter. The parties must be left to settle the matter themselves in the court of competent jurisdiction. May amend. & this appeal be given?

9) There is no case for the 15/4/20 interference of the Govt in the matter of the petition.

Allt 17/4

Orders)

10) I do not think how Govt in the Mussai department can interfere with an order passed by a 1st Magistrate.

11) Let the parties be called upon to state the progress of case under which this application has been filed. Time allowed five days. EJ. 17/4/20

17/4/20

Allt 17.4.20

12) Orders issued.

15.4.20 Bkjs

19/4/20

13) 20/4/20

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Police 4-2-1920 (5

Judl. File No. 628 of 1915.

Serial No.

2 From, Mr. C. Venkatachari, Advocate,
Application by 21.4.20.
States that he filed his appeal
before Govt. which, he thinks, is
due for disposal in the Judicial Dept.
14 Appeals against the orders of the
District Magistrate have been dealt
with and disposed of by Govt. in the
Muznai Dept., as the undermentioned
Muznai cases will show:—
(1) Muz. J. no. 69 of 1903 re license to
the Jain Utsava at Belur in the
Nagamangala Taluk.
(2) Muz. J. no. 223 of 1909 re license
to the Utsava of Sri Arkeshvara
Swami at Gutalu, Manjya Taluk.
(3) Muz. J. no. 11 of 1913 re license
to rebuild Harasamahalli mosque
in the Channarayapatna Taluk.
(after hearing the contending parties)
15 From Gutalu case (no. 2), it will
be observed that the then member
of Council Mr. H. V. Nanjundaiyya
raised the same query viz which dept.
has to deal with such cases involving
appeals against Dist. Magistrate's
order whether Govt. in the Muznai, Police

vides his orders on the appeal petition.

NOTE—Contn. sheet.

Serial No.

Pages 9 & 10 & 11 of the office note.
P1

or Judicial Depts, and after some discussion, under his order was that of the late Diwan, it was decided that the matter should be dealt with in the Muznai Dept, and on receipt of a report with records called called for from the Dy. Comr, the matter was disposed of by this Muz Dept.

Page 5 of the office note in Muz 223-09 dy. N

16) The previous Muz. Secretary has noted that "it seems to me "that it is the Dy. Comr, Muznai "Dept and not the Dist Magistrate "who can decide what party can "conduct the car-procession".

B

17) In the case in point, the main issue is right to worship in the Pattadamma Temple which concern the Muznai Dept. In his capacity as the Dy. Comr, Muznai Dept, the justice of this right must have been decided, and apprehending breach of peace, in carrying out this order needful orders must have been issued to the Police in his capacity as the District magistrate - (vide page 5 of the magistrate's order files with the

B

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Police W.P. of 1926

(7)

File No. ~~628~~ of 191 .

Serial No.

Thus the appeal seems to be one for disposal in the Muz. Dept. on receipt of report & records from the Dy. Commr and not, in the Judicial Dept. as pointed out by the Advocate.

18) There is also no correct information on record, as to whether the temple in question is a ~~xxxx~~ muzrai institution much reliance cannot be placed on the one-sided representation contained in the appeal petition. If directed, the Dy. Commr will be asked to report whether the temple is a muzrai institution enjoying any Govt. grant otherwise neither the Govt. nor the local authority can have any jurisdiction in the matter as the cases decided by Govt. till 'Spns.' A stay order is Submitted for orders also prayed for in the appeal petition

16.4.29) The institutions mentioned in para 14 are all muzrai institutions and so the Muz Dept. had to deal with them.

20) These mentns in the preceding

D. E. W.

NOTE—Contn. sheet.

Serial No.

Parties were all non muraii institutions and the parties were asked to settle the matter in a Complaints Court of Jurisdiction.

2) The Sultaveanna temple which is the subject of the present appeal is a non muraii institution and the Mun Dept cannot interfere with the orders of the District Magistrate in respect of that temple.

3) The advocate himself says that the matter is a judicial one & that it was not meant the addressed to the Mun dept.

4) The appeal Petn may, if app, be transferred to the Chief Secrett, Jud Section where a Rem Petn has been recd.

26/11/20

Asst Secretary

P T O

G. R. S. III-2]

General and Revenue Secretariat.

Police 42 1918 19 (9

File No. 628 of 191 .

Serial No.	
	24) As per State that this is an application in respect of a police matter and that this enquiry on the file should be disposed of in the Judl branch this may be transferred to the Chief Secretariat at once. H J 26/4/20
	Chief Secretariat)
	Reference file returned here B.C. 27/4/20
	25) Subd for orders. AM 27/4.
	26) Please make up & close D. M. 27/4
	M V Sea 27/4

NOTE—Contn. sheet.

G.R.S. III—3] Police G.R.S. 1922 (10 [3—III .S.R.S

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

27) From enquiries made in the Muzrai Secretariat it has been ascertained that the appeal petition of Chikke Gowda and Jovare Gowda of Holalu village, Nandya Taluk re license for the performance of puja in the Patalalamma Temple is being dealt with there.

28) The question hinges on the performance of puja & it is for orders whether the present reminder may not be transferred to the Muzrai Secth.

~~SRR~~
26/4
App 26/4

D. M.
26/4

Muzrai Secth)

29) The main file no. (628-19) was submitted to the Secretary for orders. Now:

Submitted 30) Muzrai Secretary
26.4.
30/26/4 Returned to the Chief Secretary 26/4

Chief Secretary)

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 42 of 1920.

Serial No.

31) The facts of the case have already been noted in paras 2, 3 & 4 to which kind reference is invited.

32) The present Distt Magte of Mysore has granted a licence to Manje Gowda and Jaware Gowda to perform puja in the temple in question, on the strength of the Chief Court order in Criminal Revision Petitions 133 and 134 of 1918-19.

33) The other party claims the exclusive right of worship, whereas the present petitioners, who happen to be the appellants state that both parties have equal rights to worship in the Puttadevanna temple and pray that an ad interim stay order be passed restraining the carrying into effect the order of the District Magte.

pending final orders or Govt on a perusal of the records of the case.

34) Sec 45 of the Police Regulation relates to the issue of licenses for the conduct of processions.

35) Govt can pass orders in matters under Sec 144 of the Code of Criminal Procedure as per Sec 35 of the Regulation. Submitted.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 42 of 1910.

Serial No.

Finds

26/ Kind attention is also invited to paras 14 to 17 supra.
Subd. with reference to para 26.

See 29/4 April 29/4

37) The dispute is stated to be a non-mugrai matter and the right claimed by each faction seems to be a matter which can only be decided in a civil Court after proper investigation.

38) Since the Dt Magte has issued no license to one of the parties, it seems necessary to call for a report from the Dt Magte in the matter.

D. M. 1/5

Chief Secy

39) The first question to be decided is whether the Dt magte order should be stayed pending decision of the petition on its merits. It seems to me that there is no need to stay the Dt magte's order. Petrs who say that their contention is that both parties should worship will not lose anything by the other party being allowed to worship under the orders of the Dt magte. Also the

NOTE—Contn. sheet.

Serial No.

worship should have taken place on the 16th april. If it has already taken place then ipso facto there is no meaning in a stay order; but if it has not already taken place for any reason, there is no need to keep the DMagte order in abeyance & it may have effect in the usual course.

4) Coming next to the merits of the case, in the first place a report may be called for from the DMagte with the records of the case.

4) I may however observe that from the circumstances recited in the DMagte order under appeal so, it shew that DMagte have interfered from time to time more with a view to preserve the peace than with any other object; & that if the parties want an adjudication of their rights they should resort to the civil Courts. If & when they do so, such decision of the civil Court will be carried out by the DMagte & the police.

3rd member

6195
5.5.20

4th I agree. no stay order can be passed. As regards the merits of the case I do not think that this Court can interfere

NOTE—Contn. sheet.

Serial No.

with his orders of his District Magistrate passed presumably under Section 41 of the Police Regulations. However it will be better for the parties if the records are called for and orders passed after hearing both parties. This may be done.

(3) As regards the procedure to be adopted in disposing of these such appeals, it has to be seen whether his order has been passed by him as Sessions Judge as a Magistrate or as a District Magistrate. If his order is passed by him in the former capacity, then his appeal will have to be disposed of in his Sessions Judge's Criminal Appellate Court. But if his order is passed by him in the latter capacity, viz in his capacity as a District Magistrate, then his case should be dealt with in his judicial branch only.

6/5 6/4.

Let Records be sent up & case for record

NOTE—Contn. sheet

Received 8/5

Telegram from the petitioners dated 3.6.20 requesting immediate orders in the matter.

G. R. S. III-2]

General and Revenue Secretariat.

Price Grocers 20

File No. 624 of 1917.

(13.

Serial No.	
	Off Calling for records & Petn with Petn Papers 46
	8. Apr 1975 45) Submitted D. M. 8/5
3	20. The Asst. Magistrate, Mysore with No. G. 25. 805, dated 12th May 1920. forwards petition dated 11th April 1920 from Chick Gowda and others of Holalu village, Maudya Taluk and requests the submission of an early report in the matter together with the connected records.
	46) Rasubd. with reference to Papers 43 & 45.
	SBR 14/5
4	(47) A reminder petition has been received from Javare Gowda, Patel of Belur village in the meanwhile as hereunder:—
	From Javare Gowda, Patel of Belur Petn dt 3rd May 1920
	Prays for the grant of a stay order in connection with the permission accorded by the D. M. Mysore Dist to Chikke Gowda &c for the worship of the Goddess Pattadamma, as a

NOTE—Contn. sheet.

21105

G. R. S. III-2)

General and Revenue Secretariat.

Police 42 of 1920 (H

~~Misc~~ File No. ~~628~~ of 1919.

Serial No.

-breach of the peace is appre-
-hended.

48) Subd for orders as to whether an ad interim endorsement may be given to the petitioner In para 42 supra the Hon'ble Member has noted that no stay order could be passed & that final orders can only be passed after perusing the records in the case. The D.M. Mysore ~~Dist~~ has been called upon in this office letter No. G. 25805 d/ 12th May 1920 to submit his report with the records in question.

~~SBB~~

14/5 49) Yrs. Mano puts up suitable draft.

50) Draft endorsement Subd in accordance with Member's minute in para 42.

~~SBB~~

16/5 51) Issued

316

52) Issued vide G 27113 dy 8.6.20

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Race 42 731 (1)
File No. of 1910.

Serial No. 5

To Sri. V. Venkatachar
Advocate
Bangalore city

Encl No 9 47113 Dt 7-6-1920

Informs that no stay order can be passed in the matter as requested by the petitioners and that final orders would be passed after perusing the connected records.

8-7-K
26/6
Dft. APH.
1-JUL 1920

From the Dist Magte
No. D2 Dis 20/20-21 dt 1/12. 7.1920

Forwards the entire records connected with the case

From a perusal of the records it is seen that the order has been passed in his capacity as a Dist Magte by the D.M. of the Mysore Dist. But it is not clear under what provision of law the Dist Magte has acted when the question of the right of worship in a temple is involved as in the present case. ~~The~~ approval, or other orders a draft enquiring is subd with reference to para 43.

SRR 22/7

NOTE—Contn. sheet.

R. S. III-2.

General and Revenue Secretariat.

Robbee File No. 42 - 731 of 1920

(18

Serial No.

5-) The record shows that the D. Magte order has been passed by him under the criminal Procedure Code, with a view to prevent a breach of the peace. The further reference to the D. Magte proposed seems unnecessary

Asst 30/9

55) Case referred invited to para 42 above. If appld, notices will be issued to the parties as ordered therein to appear before the Member one any convenient date.

56) Submit for orders.

D. M. 3/8

III Member -

863 3.8.20

57) Ppr. Adate may be fixed & notice issued to parties.

7/8

58) Mark down notice and the date being ascertained from the P.A. to the Member.

D. M. 9/8

M Sec 9/8

59) 3 P.M. on Saturday the 18th Septr. with suit the Member.

D. M. 11/8

B-1678

M Sec 11/8

OTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat.

Police File No. 42 of 1920

)31

Serial No.

60) Draft & fair copies of notices to the parties & an order to the Taluk Amildar to take necessary action for the service of the notices are submd for approval & signature.

SBB 24/8

61) Mr for aders if Mr V. Venkatachar Advocate may also be informed of the above

24/8/20

Yes.

62) Done. Measrs Sec Thalo this record are submd to the Members with all the notices should be before the date fixed for the hearing.

D. M. 24/8

Wr 26/8 24/8

7 To Dasaresanda, Chinnaresanda Munisesanda and K. Dasaresanda no. 4446 dt. 25-8-1920

Issues the notices to the parties to appear before the members on 18-8-1920.

Draft submd with reference to para 61

SBB 26/8

Issues D. M. 28/8

26/8

P.S.O.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Police File No. 42 of 1920

Serial No. 9.

From the Amildar of Mandya Taluk
No. 108 dt 5-9-1920
Returns the notices duly served on the parties
Subd for perusal. The case is posted for hearing on Saturday the 18th inst at 3 P.M.

13/9
Amildar 1919

Mano Campbell

The main file is now before the III Assistant

Mano Campbell in the main file
D.C.
14/9

NOTE—Contn. sheet.

G. R. S. III-2)

General and Revenue Secretariat.

Police 412 File No. of 1920

Serial No.

8. To Sri. V. Venkatachar
Advocate
no 4814 dt 31-8-1920

States that notices for the appearance of the appellants and respondents have been issued and that the hearing has been fixed for the 18th Sept. 1920 at 3 P.m. before the III member of council.

Put by Mr MacPhail
Ppt - by Mr K V Narain Rao.

Agenda heard.

The exact nature of the dispute has not been ascertained by any of the authorities that have handled the case - & it is the intention right to pursue this purpose or the individual right based on Rajas plea keeping that in actually in dispute? From the statements made by the Lawyers & the parties it is clear that the appellants approach Claim the right to act as Rajas and they state that they do not deny the

Please note the date of hearing and remind the file on the 15th instant -
Asst
19

NOTE—Contn. sheet.

731 44.61

G. R. S. III-21

General and Revenue Secretariat. | Police File No. 42 of 1920

Serial No.

the right the petitioners have their case purple from specific fruits & flowers to their deity in their duties &c. The right in dispute is therefore a civil right which can be ascertained upon a civil Court. The District Magistrate has recognised that right for the present & rest in the respondents and has given more to their subordinates than that in the enjoyment of that right, the respondents are not hampered by the appreciation: If the appellants are dissatisfied with the they can seek redress in a civil Court. The fact is no reason to the settlement under which appears that been passed under the Civil Procedure Code, though the District Magistrate has not observed all the formalities prescribed in that Code. The appeal petn is therefore rejected.

Draft endt submd

15/9/20

D. 20/9

2/10

4/10

endt for abvd

D 5/10

III Member agrd

7/10

D. 8/10

NOTE—Contn. sheet.

2339

6.10.20

G. R. S. III-21

General and Revenue Secretariat.

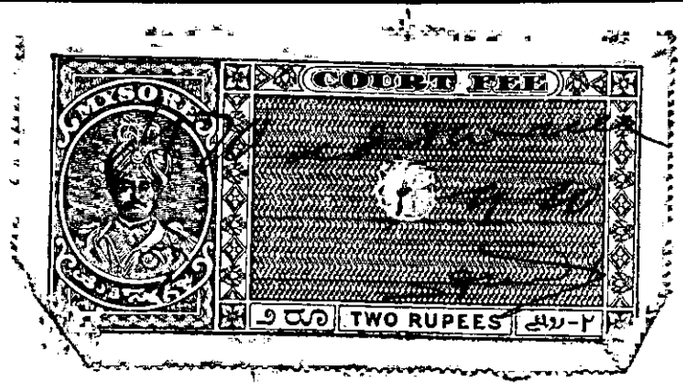
Pol File No. 42 of 1920

Serial No.	
10	To Javaresowda and Chickesowda & Holalu village Mandya T.K. No 9 4899 Dt 9-10-1920 Informs that Govt see no reason to interfere with the order & the D.M. passed under Sec. 412 & the Police Regulati and that the appeal petition is rejecte
	To Honnesowda and K. Javaresowda Holalu village Mandya T.K. No 9 4900 Dt 9-10-192 Forwards copy & the above
	To The District Magistrate Mysore District No 9 4901 Dt 9-10-1920 Forwards copy & the above

GHIEF ... IAT
PROTECTION BRANCH.
30 OCT 1920

B 28/10

NOTE—Contn. sheet.



DIARY No. 1976

Before The Government of Mysore, Bangalore.

1920
MIS
628-19

The humble petition of (1) Chikke Gowda, and (2) Javare Gowda, residents of Holalu Village, Mandya Taluk:

Most Respectfully Showeth:

1. That in the village of Holalu there is a Temple dedicated to the Goddess "Patladamma" in existence for over 35 years.

2. That two factions have come into existence, one headed by Kurchi Kempe Gowda and the other by the petitioners with the result that the pooja could not be carried on by either.

3. The contention of the petitioners has all along been that both parties have equal rights to worship in the temple, whereas the contention of the other party is that they have an exclusive right, i.e, to the exclusion of the petitioners' party.

4. The dispute between the two parties have formed the subject of various orders by District Magisthates and the Chief Court from time to time which are scarcely consistent or reconcilable with one another.

5. Mr. Mathan as Deputy Commissioner of Mysore by his order dated 11-8-17 in Crl. Mis. Appeal No. 74 of 16-17 clearly laid down that neither party could be said to have a right exclusive of the other and that the party claiming an exclusive right should establish

such in a Civil Court. But without jurisdiction he modified his own order by a later order dated 10-11-17.

6. The concurrent and joint rights possessed by the petitioners' party were recognised by the Chief Court of Mysore by its order dated 18-2-18 in Criminal Revision Petition No.74 of 17-18 and later by the District Magistrate Mr. T. Chokkanna in his order dated 25-4-19. But the Chief Court of Mysore (presided over by another judge) passed a later order dated 20-4-19 in Crl. Rev. Petitions 133 and 134 of 18-19 to the effect that the observations contained in the previous order dated 18-2-18 in Criminal Revision No.74 of 17-18 were merely obiter and that Mr. Mathan's order dated 10-11-17 could not have been interfered with by Mr. T. Chokkanna.

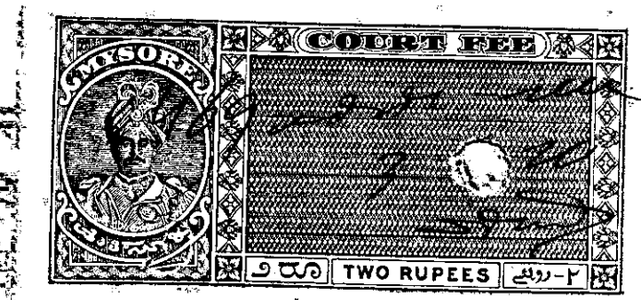
7. On the strength of the observations contained in the order of the Chief Court in Crl. Revision Petitions 133 and 134 of 18-19, which themselves were obiter, the District Magistrate Mr. Bowring by his order dated 30-3-20 in License Petition No.1 of 1919-20 (herewith filed) that the other party headed now by Linge Gowda and Javare Gowda, a license to perform worship in the Temple.

8. The said order has been passed without any jurisdiction inasmuch as the other party have not established the exclusive right claimed by them. The order is calculated to cause injustice to the party of the petitioners whose position has been all along, that both parties have equal rights, that neither has any exclusive or preferential right and whose position is backed by orders of Courts as often at least as the contrary position.

9 Under these circumstances, it is most respectfully prayed that the benign Government of His Highness The Maharaja of Mysore may be pleased to inquire into the whole matter after calling for all the records and that a final order may be passed which is just and equitable; and thus pending the same an ad interim order immediately issue, restraining the carrying out of the Deputy Commissioner's order dated 30-3-1920

Bangalore.
3-4-20.

Advocate



IN THE COURT OF THE Before the Government of H. H. The Maharaja of Mysore

Licence appeal CASE NO. OF 1919-1920.

Appellant. Plaintiff.		Respondent, Defendant.
1 Javare Gowda 2 Chikke Gowda	Vs.	1 Ninge Gowda 2 K. Javare Gowda

We the appellants above named do, by these presents (1) retain Messrs. L. Sreenivasiengar, V. Venkatachar, B. A., B. L., and Baily Vasudevamurthy B.A.L,L.B., Advocates, to appear in and conduct the above case on.....behalf to judgment

2. We further empower them to execute any decree or order that may be passed in.....our behalf and to receive from Court such sums of money as.....we.....may be entitled to get and to grant receipts therefor.

3...We...also undertake to confirm and ratify all the legal acts done by tbe said Advocates in so doing.

3/4/20.

Accepted

Advocates for

3/4/20.

Signed before us and personally known to us

Advocates.

B. S. Iyengar, Printer & stationer, B. City.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to... 1976

Section ?

File No. 628/1949

Serial No. ?

GENERAL AND REVENUE SECRETARIAT

( )

the 191 .

No. 3608

Date of issue..... 20-6-20

To

Signed by J. P. Jayatunga
Asst. R.S.

With reference to his app
regd. no. 1976 presented on 6
of Chikke Gowda and Javare
Gowda of Holalu Village in Tu
Mandya Taluk appealing again
the Distt. Magistrate's order d
that Kuchi Kempe Gowd
be allowed to conduct Lordsh
in the temple of Pattadamm
at the place, Mr. V. Venkata
Advocate, is requested to sh

over.

[illegible] 5 days, the provisions
[illegible] under which
the application in question
has been filed.

Dy. Custodian
20/4/20

Secretary,
Muz. Deptt
24
20/4/20

List of enclosures.

Copied by

Examined by

WD 1744— [illegible] 8,000

V. VENKATACHAR, B.A., B.L.,
ADVOCATE.

KASI VISVESWAR TEMPLE ROAD.

Bangalore City, 21-4-1920

No. 628

DIARY No. 2155

19 19 20
SECTION Mus
FILE No.
SERIAL No. 2

22 APR 1920

To The Secretary to Government
Museum Department

Sir. Re your endorsement No. 608 Mus 2 628 dated Bangalore 20-4-20 in the matter of the petition of Chickgowda & Javare gowda of Hosahalli village Nandya taluk.

I have the honor to state that the application in question was not meant to be addressed to the Museum Dept. nor was it addressed as a matter of fact so addressed. It was addressed to the Chief Secretary and I believe it pertains to the Judicial Branch of the Secretariat and has to be dealt with by Govt. in the Judicial Dept. Govt. have power under S 35 of the Mysore Police Regn of 1908 to interfere in such cases. The D.I. Nagesh orders is presumably under S 45 of the said Regn. and is not revisable by the Chief Court as laid down in 7 Mys. 18 Mys. Ch. Ct. Rep. page 1. It does not mean that an executive order of the kind in question, is revisable only by Government in exercise of their general powers of superintendence over the acts of the subordinate executive. There I know of several cases in which

matters of the kind in question, more especially pertaining to grant of a refusal to grant, licenses have been interfered with by Government.

I have the honor to be
Sir,
Your obedient Servant
Covenant affairs

POSTS & TELEGRAPHS.

DEWAN'S OFFICE

Date of Receipt 2 JY 20

Class X Code

Recd. from

By

Sent at

To

By

Petn. Regr No 1366

Time Stamp

BANGALORE 3 MY 20

Received in at (Office of Origin)

Date. 3

Hour. 15

Minute. 30

Service Instructions.

Recd. here at 7 H 43 M.

3201

1200

210 High Court Judge Coorg

Letter Subsidiary Petition Clerk of Peace Bangalore

Petitioner filed unregistered agreement between petitioner and respondent dated 30th April 1920 whereby respondent agreed to pay petitioner Rs 1000 per month for 12 months from May 1920 for maintenance of petitioner and her minor son. Petitioner alleges that respondent has failed to pay the amount for the months of March and April 1920 and that there is danger of breach of peace. Prays for order to stop pending proceedings under Sec 107 Cr P C and for

N.B.—The name of the Sender, if telegraphed, should be written after, but separated from, the text.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....2/023.....

GENERAL AND REVENUE SECRETARIAT
( )
, *the* *191* .

Date of issue.....12/5/20.....

gned by.....Mr P. M.

* to be duly returned after use with

Section ~~Home~~ Political
File No. 2
Serial No. 3

No. G 25805/one one

To

The District Magistrate, Hassan Dist

Sir

I am directed to forward herewith petition dated 4th April 1920 Re Kattadamma festival, received from Chikkegowda & others of Holahalli village, Mandya Taluk and to request that a report in the matter may kindly be submitted at an early date together with the connected records.

I have etc

D. M. 10/5

for Chief Secy

over.

D. M. 10/5

Hon 10/5

Javari Gowda, Patel of Balur, Mandya Tk.
States that a breach of peace is apprehended in connection with the permission accorded by the Dt. Magistrate Mysore to Chikke Gowda & others to conduct the worship of the goddess Pattaladamma in the said village against mamool & praying for the [illegible]

By [illegible] Post 4.5.20.

[illegible] 1920

Police 4-2-20[illegible]

Date of Receipt 7.5.20

Petn. Regr. No. 1367

Chief Secy 30202

B.O. 28 6/5/20

21103

This is pending in the Chief Secretary's [illegible]

Bly 7/5/20

[illegible]

[illegible] 24-4-20

27

475 / 19-20

[illegible]

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to... 21103

GENERAL AND REVENUE SECRETARIAT

( )

, the *191* .

Date of issue..... 8/6/20

Signed by..... Mr P. M.

Section Pol

File No. 42-20/5

Serial No.

Endt No. G27/113.

To

Mr. V. Venkatachar, B.A., B.L.,
Advocate,
Bangalore City

With reference to the appeal petition d/3.4.20 of Chikka Gowda and Jarme Gowda regarding worship in the temple of Pattadamma, Holalu village, Maadya Taluk, presented on their behalf, Mr. Venkatachar is informed.

over.

6/1/20

informed that no stay order can be passed in the matter as requested by the petitioners and that final orders would be passed after perusing the connected records. ~~and hearing both the contending parties.~~

By Order

D. M.
3/6

~~for~~ Chief Secy

~~SBR~~
1/6
PP 2/6

List of enclosures.

Copied by

Examined by

WD86—GPB—60,000—15-11-16

D2Dis No. 20 In 1st Revn 127/20 20-21

131

Office of the District Magistrate,

Mysore District.

Dated, Mysore, 9th July 1920.

Police No. 6

From

C. Lakshmana Rao, Esq., B.A.,B.L.,

Assistant Commissioner in

District Charge, Mysore.

To

C.S. Balasundaram Iyer, Esq., B.A.,

Chief Secretary to the Government of

His Highness the Maharaja of Mysore,

Bangalore.

Sir,

With reference to your letter No.C.25805/Pol. dated the 12th May 1920, forwarding for report a petition from Javaregowda and another of Holalu village, Mandya Taluk, in regard to the worship of Patladamma in the said village, I have the honor to forward herewith the entire records connected with the case as per margin and to state that the facts of the case are fully set forth in the order passed by the District Magistrate on the 30th March 1920 in Criminal License Petition No.I of 1919-20.

2. The enclosure received with the above is herewith returned.

I have the honor to be,

Sir,

Your most obedient servant,

Lakshmanarao

Assistant Commissioner in

District Charge, Mysore.

* (A typed copy of which also accompanies for reference)

A.N.

1352 19

From

The District Magistrate,

Mysore District.

To

The Chief Secretary to Govt.,

Bangalore.

Dated 9th July 1920.

Despatched 12 July 1920

Received 13 JUL 1920

General No. 82 Cris 20/20-21

No.

Enclosure No. Three Records & 1 Plan

Forwards entire records relating to the worship of Patladamma in the Holalu village, Malavalli Taluk.

1 Records in Cr.Mis.Appeal No.74 of 16-17(2 files)

2 " in Cr.Mis.Petition Nos. 2 & 3 of 17-18 (two files)

3 " in Cr.License Petition No.1 of 1919-20 (one file)

14 JUL 1920

14/7

14/7/20

14/7

Before The Government of His Highness The Maharaja of Mysore, BANGALORE.

The humble (remainder) petition of Chikke Gowda and Javare Gowda of Holalu Village, Mandya Taluk, respectfully showeth:-

1. That the petitioners preferred by registered post on 3-4-20 an appeal against the order of the District Magistrate of Mysore granting a license to Manje Gowda and Javare Gowda to perform Puja in the Temple of Pataladamma in the said village.

2. That the petitioners prayed for an ad interim stay order restraining the said persons from performing the said puja in pursuance of the said license pending the decision of the appeal.

3. That the petitioners further petitioned to the District Magistrate of Mysore enclosing the copy of the Memo of Appeal filed here and praying that effect may not be given to the license pending orders of Government on the petition presented to them.

4. That no order has been passed on their petition in the matter of the prayer for a stay order; nor has the District Magistrate passed any order on the petition presented to him.

5. That the puja is fixed to take place on Friday the 16th instant, an event which has not occured for 30 years owing to the disputes between the parties is in danger of being consumated.

6 That if the event is allowed to take place before the appeal now pending before the Government is decided, irreparable injury will be caused to the petitioners and the party.

7 That therefore the petitioners most respectfull prays that an ad interim order do at once issue restraining the performance of the puja pending further orders of Government.

16/4-20

Bangalore.

14th April 1920

Dy. 4446 dt 25-8-20
Police Dept No 7
Sheet 4

ನೋಟಿಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮತ್ ಮಹಾರಾಜರವರ ಗೌರ್ನಮೆಂಟ್ ಜನರಲ್ ಮತ್ತು ರೆವಿನ್ಯೂ ಸೆಕ್ರೆಟರಿಯವರ ಕಚೇರಿಯಿಂದ.

1920—1921 ನೆ ಇಸವಿ ~~ಮೇಲ್ಮನವಿ~~ ಅಪೀಲು ~~ಸಂಖ್ಯೆ~~ ನೆ ಖಿಲ್ದವರು

ಅಪೀಲು ವಾದಿ

ಅಪೀಲು ಪ್ರತಿವಾದಿ

ವಿಷಯ.

ಮೇಲೆಕಂಡ ಅಪೀಲುವಾದಿ ಕಳಗೆ —

ನೀವು ~~ಕೆಳಗಿನಂತೆ~~ ಡಿಸ್ಟ್ರಿಕ್ಟು ~~ಕೋರ್ಟು~~ ~~ಜಡ್ಜಿಯವರ~~ ಪುಕುಮಿನ ಮೇಲೆ ಹುಜೂರಿಗೆ ಜಜಾಯಿಸಿದ 192 0 ನೆ ಇಸವಿ ಎಪ್ರಿಲ್ ಮಾಹೆ 2 ನೆ ಮೆರುಕುಮಿನ ಅಪೀಲು ಅರ್ಜಿಯು 192 0 ನೆ ಇಸವಿ ~~ಸೆಪ್ಟೆಂಬರ್~~ ನೆ ತಾರೀಖಿನ ದಿವಸ ಆಂಧ್ರಳೂಕ್ ಮೊಕ್ಕಾಮಿನಲ್ಲಿ ಚಾರಣೆ ಮಾಡಲ್ಪಡುವುದರಿಂದ, ಆ ದಿವಸ ~~ಪೂರ್ವಾಹ್ನ~~ 10½ ಘಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಇ ತಾರೀಖು 21 ನೇ ಮಾಹೆ 1920

ಇಸವಿ, ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು.

By Order,

for Secretary to Government,
~~Home~~ General Department.

GPB—500—12-6-13

G.S. 26] 246

File No 42-20

Serial No. 8

Diary No. of letter replied to 731

No. G 4814

General and Revenue Secretariat
(Police)
, *the* 19

To

Mr. V. Venkatachar, B.A., B.L.,
Advocate,
Kasi Viswesvara Temple road
Bangalore City

Date of issue 31/8/20

Signed by M[illegible]

Sir,

In continuation of this office endorsement No. G 3113, d/ 8th June 1920 regarding the appeal petn. of Chikke Gowda and Javare gowda about the rights of worship in the temple of Pattadamma, Halalu village, Nandiya taluk, I am directed to state that notices for the appearance of the appellants and respondents have been issued from this office and that the hearing has been fixed for the 18th September 1920 at 3 P.M. before the III Member of Council. I have &c

D. 28/8

for Chief Secy.

28/8 Am 28/8

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮರ್ ಮಹಾರಾಜರವರ ಗೌರ್ನಮೆಂಟ್ ಜನರಲ್ ಮತ್ತು ರೆವಿನ್ಯೂ
ಸೆಕ್ರೆಟರಿಯವರ ಕಚೇರಿಯಿಂದ.

ನಂಬರ್. G. 4446/pol. 42-20-7 dated 25/8/20.
Encls. Four

ತಾಲ್ಲೂಕು ಅಮಲ್ದಾರ್ರಿಗೆ ಬರೆಸಿ

ಕಳುಹಿಸಿದ ನಿರೂಪ ಅದಾಗಿ—

ಇಲ್ಲಿನ ಸ್ ಸ 1920—1921 ನೆ ಇಸವಿ ~~ಸೆಪ್ಟೆಂಬರ್~~ ಆಪೀಲ್ ~~ನೆ ತಿಂಗಳು~~

ಮೊಕದ್ದಮೆಯ ಕಕ್ಷಿಗಾರರು ಮೆಜಿಸ್ಟ್ರೇಟ್ನಲ್ಲಿ ನಮೂದಾದವರ

~~ಜಪ್ತಿಗೆ ತಕರಾರಾದ ನೋಟುಸುಗಳನ್ನು ಇದರ ಹಮೆರಹಾ~~

ಕಳುಹಿಸಿರುತ್ತೆ. ಕ್ರಮ ಪ್ರಕಾರ ಜಾರಿಯಿಂದ ಅಸಲ್ ನೋಟಿಸುಗಳನ್ನ ಕೂಡ್ಲೆ ಈ ಆಫೀಸಿಗೆ ವಾಪಸ್
ಕಳುಹಿಸತಕ್ಕದ್ದು.

ಬ ತಾರೀಖು 21 ನೆ ಮಾಹೆ ಆಗಸ್ಟ್ 1920 ನೆ

ಇಸವಿ, ದರ ಜಾಗಾ

By order

Secretary ot Government,
~~Rev. & Rev.~~ Departments

GPG--1,000--23-5-11

DIARY No 4461

8830

1920 No 1

11 SEP 1920

Dated 31/8/20

31-9-20

Before me.

Shekdar.
31.8.20

Recd 11 SEP 1920

2440

31.8.20

31.8.20

Shekdar.

5/9/20

ನೋಟಿಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮನ್ ಮಹಾರಾಜರವರ ಗವರ್ನ್‌ಮೆಂಟ್ ಜನರಲ್ ಮತ್ತು ರೆವಿನ್ಯೂ
ಸೆಕ್ರಿಟರಿಯವರ ಕಚೇರಿಯಿಂದ.

1910—1911 ನೆ ಇಸವಿ ~~ಕುರುಚಾಮಿ~~ ಅಪೀಲು ನಂಬಿಕೆ ವಲಯ ಮೊಕ್ಕಾಮಿನಲ್ಲಿ

ಅಪೀಲು ಪಾದಿ

ಅಪೀಲು ಪ್ರತಿವಾದಿ

ವಿಷಯ.

ಮೇಲೆಕಂಡ ಅಪೀಲು~~ಕಾ~~ ನಿಮಿತ್ತ

ನೀವು ವಲ್ಲಿಕೂರಾಡಿಸ್ಟ್ರಿಕ್ಟ್ ಮುನ್ಸಿಫರವರ ಹುಕುಮಿನ ಮೇಲೆ ಪುಜೂರಿಗೆ ಗುಜರಾಯಿಸಿದ 1910 ನೆ ಇಸವಿ ಫೆಬ್ರವರಿ ತಾರೀಖು 3 ನೆ ಮೆರುಕುಮಿನ ಅಪೀಲು ಅರ್ಜಿಯು 1910 ನೆ ಇಸವಿ ~~ಮೇ~~ ತಿಂಗಳು 18 ನೆ ತಾರೀಖಿನ ದಿವಸ ~~ಬೆಂಗಳೂರು~~ ಮೊಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವದರಿಂದ, ಆ ದಿವಸ ಪೂರ್ವಾಹ್ನ 10 ಘಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಇ ತಾರೀಖು 21 ನೆ ಮಾಹೆ ~~ಮೇ~~ 1910

ನೆ ಇಸವಿ, ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು.

By Order,

for Chief Secretary to Government,
Gen. & Rev. Departments.

GPB—1,000—25-7-11

ನೋಟಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮರ್ ಮಹಾರಾಜರವರ ಗೌರ್ನ್‌ಮೆಂಟ್ ಜನರಲ್ ಮತ್ತು ರೆವಿನ್ಯೂ
ಸೆಕ್ರಟೆರಿಯವರ ಕಚೇರಿಯಿಂದ.

1920 — 1921 ನೆ ಇಸವಿ ಮುಜರಾಯಿ ಅಪೀಲು ~~ನಂಬರು~~ .....

ಅಪೀಲು ವಾದಿ ಅಪೀಲು ಪ್ರತಿವಾದಿ

ವಿಷಯ.

ಮೇಲೆಕಂಡ ಅಪೀಲುವಾದಿ

ನೀವು ~~ಅಸಿಸ್ಟೆಂಟ್ ಕಮಿಷನರ್~~ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ~~ಮ್ಯಾಜಿಸ್ಟ್ರೇಟ್~~ ~~ಕಮಿಷನರವರ~~ ಹುಕುಮಿನ ಮೇಲೆ ಹೆಜ್ಜಾರಿಗೆ ಗುಜರಾಯಿಸಿದ 1920 ನೆ ಇಸವಿ ಎಕ್ಸ್‌ಟ್ರಾ ಮಾಮ್ಲೆ 3 ನೆ ಮೆನುಕುಮಿನ ಅಪ್ಪೀಲು ಅರ್ಜಿಯು 1920 ನೆ ಇಸವಿ ಫೆಬ್ರವರಿ 18 ನೆ ತಾರೀಖಿನ ದಿವಸ ~~ಹೈಕೋರ್ಟ್~~ ಒಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವದರಿಂದ, ಆ ದಿವಸ ~~ಪೂರ್ವಾಹ್ನ~~ 10½ ಘಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

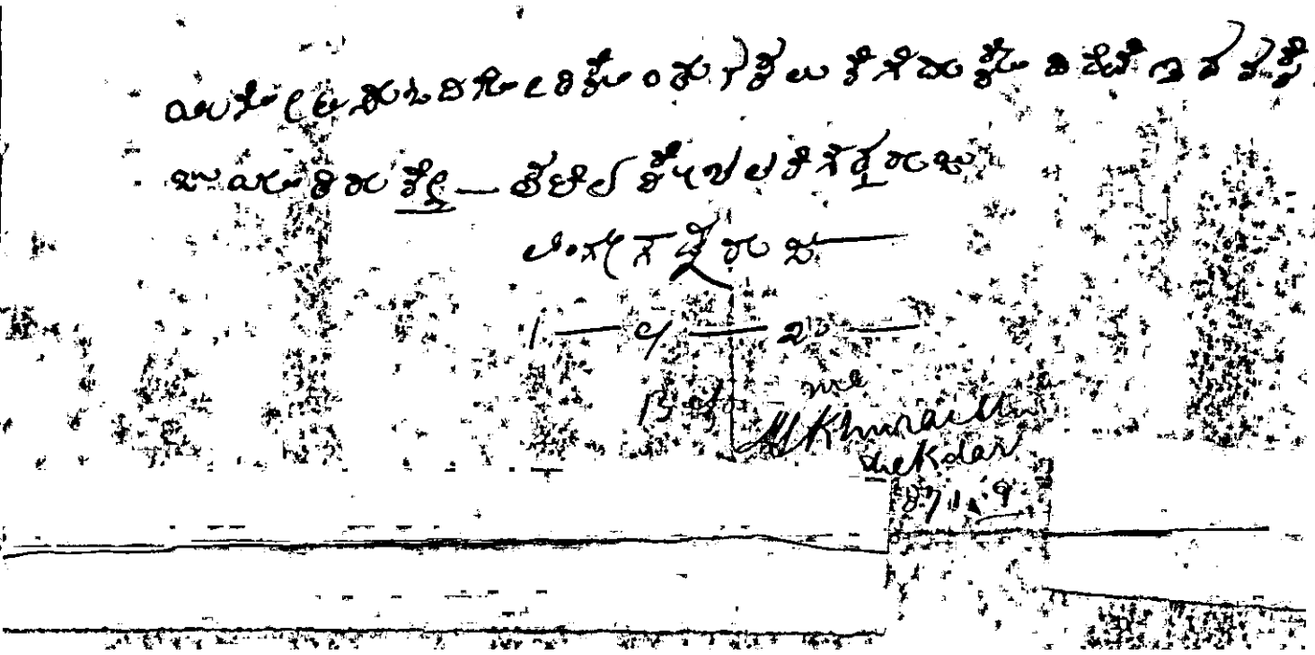
ಇ ತಾರೀಖು 21 ನೇ ಮಾರ್ಚ್ 1920

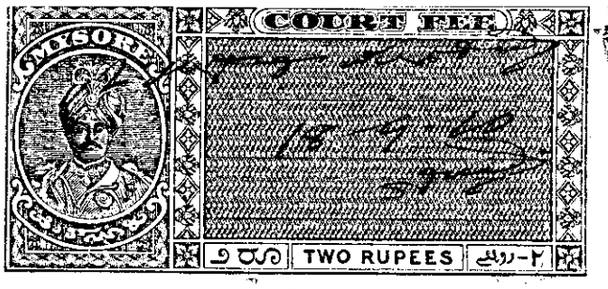
~~ನೆ ಇಸವಿ, ಹೊಕ್ಕಾಂ ಬೆಂಗಳೂರು.~~

By Order,

Muhammad
for Chief Secretary to Government,
~~Gen. & Rev. Department.~~

GPB—500—12-8-13





~~In the Court of the~~ Before the Government of H.H. The Maharaja of Mysore At Bangalore

~~4446/9~~ Appeal NO. 4446/9 OF 1920-1921.
7-2-1/9/20

Appellants. ~~Plaintiff.~~ ~~Defendant~~ Respondents.

1. Javare Gowda
2. Chikkanagowda

Vs.

1. Ningangowda
2. Javare Gowda

The Respondents above named do by these presents, retain

MR. H. V. NARAYANA RAO, B.A., L.L.B.,
High Court, Advocate,

to appear and conduct the above case on our behalf to judgment.

We further empower him to execute any decree or order that may be passed in our behalf and to receive from the Court such sums of money as we may be entitled to get and grant receipts therefor.

Also undertake to confirm and ratify all the legal acts done by the said Advocate in so doing.

ಹಾಗು ನಮ್ಮಲ್ಲಿಗೆ ಪ್ರತಿಪಕ್ಷಿಗಳಿಂದಲೂ ಪ್ರತಿಪಕ್ಷಿಗಳಲ್ಲಿಗೆ ನಮ್ಮಿಂದಲೂ ಪತ್ರ ವ್ಯವಹಾರಗಳು

Personally known to me and signed in my presence.

H.M.
18-9-1920.

Accepted.

H.V. Narayana Rao
Counsel for, Respts.

Police 42–20

Serial No – 10.

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

Diary No. of letter replied to 4461 :

Date of issue

Signed by

G 7899 Enclosure No. 9/20

Granted to Javare Gowda and Chikka Gowda of Holalu village, Mandya Taluk.

With reference to their petition dt 13th April 1920 appealing against the order of the Mysore District Magistrate directing that Kuchi Kempe Gowda be allowed to conduct worship in the temple of Pattadamma, Javare Gowda and Chikka Gowda are informed that the opponents claim the right to

such as Pujaris and ~~that~~ they do not deny the right of the ~~petitioners~~ petitioners to offer fruits and flowers to the deity just as other devotees do. The right in dispute is therefore a civil right which can be adjudicated upon by the Civil Courts Govt see no reason to interfere with the order of the Dist Magte. passed under Sec. 41 of the Police Regulation and the appeal petition is therefore rejected.

2. The copy of the Dist Magte's order received with their petitions is returned herewith.

By Order,

D. S/10

for Chief Secy

SBR
2/10

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Memo No. 77900 07 9/20

Copy of the above is forwarded to the opponents in Linge Gowda and K. Javare gowda, Holalu village, Maudya Taluk, for information.

By order

Dy. Sy.

for Chief Secy

SBR 4/10

Memo No. 77901/Bl Revn

Copies of the foregoing are forwarded to the Dist Magte, Mysore Dist for information and retg the files of records received with correspondence ending with his letter No. D2 Dis 20/20-21 dt 9/Dec. 7. 1920.

B. O.

Dy. Sy.

SBR 4/10 for Chief Secy